IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT BENCH JAIPUR

J U D G M E N T

Balram Sharma Vs. Rajasthan State Ganganagar Sugar Mills Ltd. & Others

(SB Civil Writ Petition No. 3651/2000)

:

Date of Judgment : 8th September, 2006.

HON'BLE MR. JUSTICE KS RATHORE

Mr. Mahendra Shah, for the petitioner.
Mr. Virendra Lodha, for the respondents.

This writ petition is preferred against the orders impugned dated 18/19.7.85 and 8.8.96 on the ground that similarly situated person Shri Kana Ram has been given benefit as Kana Ram has preferred a writ petition before this Court which was registered as SB Civil Writ Petition No. 132/87 which was allowed vide judgment dated 17th July, 1991 and in the Special Appeal, the Division Bench of this Court while allowing the appeal has observed as under:-

"We have gone through the order Annexure-7 and we are

> of the opinion that since out of 6 persons whose names are mentioned in Ex.7 only respondent Kana Ram had filed the writ petition, the order should have been confined only for granting relief to the petitioner/respondent. There is therefore, no need to issue notice to respondent. We, therefore, direct that the order dated 18th July, 1985 (Annexure-7) shall stand quashed only so far as the respondent Kana Ram is concerned. Therefore, the order of learned Single Judge dated July 17, 1991 shall be confined only so far as the respondent Kana Ram is concerned and shall not be applicable to any other person whose names are mentioned in the order dated July 18, 1985 and who has not filed any writ petition against the order. The Special Appeal is allowed accordingly".

Thus, in view of the direction of the Division Bench, recommendation with regard to the petitioner has not been declared.

Having considered the submissions made by the respective parties, it is not disputed by the respondent that the recommendation has been placed under sealed cover and the ratio decided by the Division Bench and Single Bench though with regard to Kana Ram but it is not disputed that the case of the

petitioner is also similar to that of Kana Ram.

Therefore, without going into the merits of the case, I deem it proper to direct the respondent to declare the result of the recommendation of the screening committee forthwith and further directed to do the needful in accordance with the recommendation made by the screening committee. So far as quashing and setting aside of impugned orders dated 18/19.7.85 and 8.8.96 is concerned, no case for any interference whatsoever is required by this court as no case on merit is made out.

With these observations, the writ petition stands disposed of.

(KS RATHORE), J.